



DAC #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. §1.47(a)

BOX DAC

APPLICANTS: Ulrich HETZER et al CONFIRMATION NO.: 6272
SERIAL NO.: 09/911,811 GROUP ART UNIT: 2853
FILED: July 24, 2001
TITLE: "ARRANGEMENT AND METHOD FOR DATA FOLLOW-UP
WARMUP CYCLES OF INK JET PRINT HEADS"

Assistant Commissioner for Patents,
Washington, D.C. 20231

S I R:

Applicants filed a Petition Under 37 C.F.R. §1.47(a) on March 7, 2002 requesting acceptance of the above-referenced application without the signature of one of the inventors, Mr. George Gelfer.

In a Decision dated July 23, 2002, it was stated that a grantable Petition under 37 C.F.R. §1.47(a) requires

- 1) A Petition including proof of the pertinent facts establishing that the joint inventor refuses to sign, or cannot be found or reached after diligent effort,
- 2) A proper oath or Declaration executed by the available joint inventors,
- 3) The fee of \$130 as specified in 37 C.F.R. §1.17(h), and
- 4) The last known address of the omitted inventor.

The aforementioned Decision stated the aforementioned Petition lacked item (1) above.

Applicants therefore herewith submit the Declaration of Lieselotte Michel, who is a prosecution administrator for the assignee of the subject matter of this

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application, Francotyp Postalia AG & Co. KG. As stated in this Declaration, Lieselotte Michel sent a letter on August 19, 2002 to Mr. Gelfer, to which a complete copy of the application, including the specification, claims and drawings, were attached, together with a Declaration and Power of Attorney. The letter included a statement that if the signed Declaration was not returned by September 16, 2002, this would be interpreted as a refusal on the part of Mr. Gelfer to sign the Declaration. A copy of the August 19, 2002 letter is attached to the Declaration of Lieselotte Michel.

In her Declaration, Lieselotte Michel further states that no signed papers and no response had been received from Mr. Gelfer. This is ample evidence that Mr. Gelfer refuses to sign the Declaration.

Items (2), (3) and (4) above were included with the Petition filed March 7, 2002. Since Item (1) has now been satisfied, granting of the present Petition is respectively requested.

The Commissioner is hereby authorized to charge any fee which may be required in connection with this Request for Reconsideration to Account No. 501519. A duplicate copy of this sheet is enclosed.

Submitted by,

Stan A. Noll (Reg. 28,982)

SCHIFF HARDIN & WAITE
Patent Department
6600 Sears Tower
Chicago, Illinois 60606
Telephone: 312/258-5790
Attorneys for Applicants.

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Submitted by,

Stuart A. Noll (Reg. 28,982)

SCHIFF HARDIN & WAITE
Patent Department
6600 Sears Tower
Chicago, Illinois 60606
Telephone: 312/258-5790
Attorneys for Applicants.



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents Box DAC, Washington, D.C. 20231 on September 18, 2002.

A handwritten signature in cursive script that reads "Steven H. Noll". The signature is written over a horizontal line.

STEVEN H. NOLL